



PATRICK A. CLISHAM

602.271.4968 pac@eblawyers.com

Patrick A. Clisham has extensive experience representing clients in corporate financings, restructurings and reorganizations. Patrick's experience primarily derives from representing distressed businesses, banks, secured and unsecured creditors, strategic buyers, and trustees in both complex chapter 11 bankruptcy proceedings and out of court deals. Patrick joined Engelman Berger in 2009 after relocating from Chicago. His prior practice experience includes more than five years with a Chicago-based nationally recognized reorganization practice where he primarily represented a spectrum of corporate debtors in bankruptcy, including in the fields of retail, manufacturing, and real estate development. Patrick's practical approach to his cases and his guidance to clients are informed by his considerable business management and financial experience, which predates his career as an attorney. He is a former commodities futures trader and was a Member of the Chicago Mercantile Exchange from 1996 – 2001. Patrick also previously served as Assistant Vice-President of Law & Government Affairs for AT&T Communications from 2002 – 2004.

PRACTICE AREAS

- Agricultural Law
- Bankruptcy & Reorganization
- Business & Financial Restructuring
- Business Formation and Transactions
- Buying/Selling Businesses
- Cannabis
- Commercial Landlord Tenant Law
- Commercial Litigation
- Corporate General Counsel
- Creditors' Rights
- Information Technology
- Loan Documentation
- Loan Workouts
- Merges & Acquisitions
- Real Estate

EDUCATION

- DePaul University College of Law, J.D., cum laude, 2002
- Northern Illinois University, B.S. in Political Science, 1992

ADMISSIONS

- Arizona and Illinois State and Federal Courts
- Colorado District Court

INDUSTRIES

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| <ul style="list-style-type: none">• Commercial Litigation• Bankruptcy• Business Transactions | <ul style="list-style-type: none">• Real Estate• Mediation |
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PROFESSIONAL

- American Bankruptcy Institute, Member of the Board of Directors and Finance Committee
- ABI Southwest Conference Planning Board, Co-Chair
- ABI Journal, Recurring Author/Contributing Editor
- Credit Abuse Resistance Education (CARE), Executive Board Member, Secretary
- Arizona Bankruptcy American Inn of Court; Master of the Bench
- Turnaround Management Association, Member

CLIENTS

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| <ul style="list-style-type: none">• Corporate Bankruptcy Debtors• Bankruptcy Creditor Committees and Trustees• Real Estate Developers• Restaurants• Retailers | <ul style="list-style-type: none">• Manufacturers• Commercial Banks• Private Equity Investors/Lenders• Commercial Landlords |
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RECOGNITION

- Recognized in The Best Lawyers in America® in the field of Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law in Phoenix, AZ, since 2020
- Selected to Southwest Super Lawyers, Bankruptcy, Business/Corporate, Business Litigation, since 2019
- Selected to Southwest Rising Stars, Bankruptcy, Business/Corporate, Business Litigation, 2012
- Award For Excellence in Public Interests Legal Education from the United States District Court for the Northern District of Illinois, 2007

CAREER HIGHLIGHTS

Representation of the Official Committee of Unsecured Creditors in successful reorganization of more than \$100 million of unsecured claims.

Representation of a large-scale commercial dairy operation in chapter 11 liquidation including disposition of inventory, equipment, real estate and related investment assets.

Representation of regional home goods retailers in out-of-court liquidation and wind-down.

Representation of commercial landlords and developers with respect to reorganizations, lease enforcements, restrictive covenant issues, credit workouts, and guarantor liabilities.

Representation of commercial lenders in more than \$1 billion of commercial financing transactions, including traditional asset based lending, ESOP, and LIHTC and New Market

tax credit financings, workouts, foreclosure/trustee sales, receivership actions, and bankruptcy proceedings.

Representations of buyers and sellers in the private sales of manufacturing, multi-state and regional retail, healthcare, and construction contracting services businesses.

Representation of debtor and trustee of a post-confirmation liquidating trust in negotiations and settlement of environmental claims and reclamation processes with the U.S. EPA and various state agencies in a chapter 11 proceeding.

Representation of international manufacturer and wholesaler of consumer goods in chapter 11 proceedings, including a sale of significant operating assets as a going concern.

Representation of major machinery equipment lessor in a successful chapter 11 reorganization case.

Representation of chapter 7 bankruptcy trustee in the \$50 million liquidation of international boat manufacturer, including the prosecution of avoidance actions and the resolution of more than \$2 billion in claims.

Representation of Healthcare Ombudsman appointed in chapter 7 liquidation of private physician practice.

Representations of plaintiffs and defendants in 11 U.S.C. § 547 bankruptcy preference and bankruptcy and non-bankruptcy fraudulent transfer avoidance litigation.

PUBLICATIONS

- *Monthly Benchnotes Column for the ABI Journal, Regular Contributing Editor and Co-Author, January 2016 – Present*
- *“A Primer on the Valuation of Affordable Housing in Chapter 11,” XXXII ABI Journal 4, 52-53, 102-03, Co-Author, May 2013*
- *“Illinois Institute for Continuing Legal Education Secured Transactions,” Co-Authored Various Chapters, 2006 – 2010*
- *“The 547(c)(4) New Value Defense: Paid or Unpaid,” Bankruptcy Strategist, Co-Author, 2009*